



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

December 5, 2013

Mr. Gerald Brown  
6987 Highway 26 West  
Royal City, Washington 99357

Dear Mr. Brown:

Re: Application for a Water Right Permit Number(s) G3-29676 and G3-30636

**NOTICE - WATER RIGHT APPLICATION STATUS**

On October 24, 2013 our office sent you a certified letter addressing the statewide backlog of pending water right applications. That letter asked that you complete and return a Statement of Intent form to Ecology with your intent to "PROCEED" or "WITHDRAW" your application. The letter stated if you failed to respond Ecology would reject the application(s) for public ground water in the Quincy Groundwater Management Subarea.

A U.S. Postal Service Certified Mailer Receipt confirmed you received the letter. Therefore, having received no response from you; Application No.(s) G3-29676 and G3-30636 is hereby **REJECTED**. We have closed the file and removed it from the waiting list.

Pursuant to Chapter 43.21B.310 RCW this letter is an appealable action.

**YOUR RIGHT TO APPEAL**

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.





Mr. Brown  
G3-29676 and G3-30636  
December 5, 2013

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

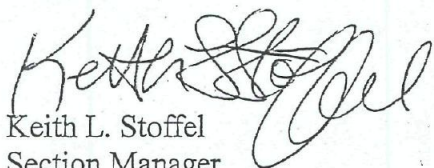
Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>.  
To find laws and agency rules visit the Washington State Legislature Website:  
<http://www1.leg.wa.gov/CodeReviser>

If you have any questions, please contact one of the following Ecology staff:

Keith.Stoffel@ecy.wa.gov; 509-329-3464  
Kevin.Brown@ecy.wa.gov; 509-329-3422  
Jeffrey.MacLennan@ecy.wa.gov; 509-329-3480

Sincerely,



Keith L. Stoffel  
Section Manager  
Water Resources Program  
Eastern Regional Office

KLS:JM:md

By **CERTIFIED MAIL:** 7012 3050 0000 1094 6350

cc: U.S. Bureau of Reclamation, P.O. Box 815, Ephrata, Washington 98823





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

OCTOBER 24, 2013

Mr. Gerald Brown  
6987 Highway 26 West  
Royal City, Washington 99357

Re: Application for a Water Right Permit No. G3-29676 and G3-30636

**NOTICE – WATER RIGHT APPLICATION STATUS**

The 2011 Legislature directed the Department of Ecology (Ecology) to address the backlog of pending water right applications statewide. As a result, we are in the process of reviewing all state groundwater applications on file with Ecology, including the above referenced application.

Ecology recently completed a review of all water right claims and state-issued water right permits and certificates on file authorizing water use in the Quincy Basin area. This area is defined in Chapter 173-124 WAC as the Quincy Ground Water Management Subarea. Based on this review, we have determined that naturally occurring public groundwaters in the Quincy Subarea have been fully appropriated. Therefore, Ecology cannot issue any new state water right permits to withdraw naturally occurring public groundwater in the Quincy Subarea.

The majority of active applications submitted to obtain state groundwater permits for use in the Quincy Basin have been on file with Ecology since the early 1990's. Many of them are no longer necessary because the applicant (or his/her successor) has secured other water use authorizations for the proposed project. These include authorizations by Ecology for changes and transfers of existing water rights, authorizations to withdraw artificially stored groundwater pursuant to the Quincy Subarea rule (Chapter 173-134A WAC) and water use agreements with the United States Bureau of Reclamation and the Columbia Basin Irrigation Districts.

This letter and the enclosed Confirmation of Intent form are being sent to determine the next steps regarding G3-29676 and G3-30636. This letter is not an administrative order issued by Ecology pursuant to Chapter 43.27A.190 RCW, nor is issuance of this letter an appealable action pursuant to Chapter 43.21B310 RCW.





Mr. Brown  
G3-29676 and G3-30636  
OCTOBER 24, 2013

**Please complete the enclosed form and return it to this office within thirty days from the date of this letter.** To be clear, the form only applies to existing applications for naturally occurring public groundwater, and has no bearing on other water use authorizations described above.

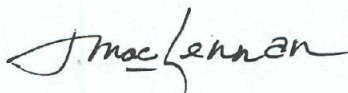
Your options are:

1. Mail the enclosed form back to us with the "NO LONGER INTERESTED" box checked. In this case, your application will be rejected and Ecology will close the file and remove it from the waiting list.
2. Mail the enclosed form back to us with the "**PROCEED (Requesting Formal Decision)**" box checked. In this case, Ecology must go through the lengthy process of making a formal decision (which could incur costs to you) and issuing a formal report recommending denial of the application, which is an appealable action pursuant to Chapter 43.21B310 RCW.
3. Do not return the form. In this case, Ecology will issue a formal order rejecting the application, which is an appealable action pursuant to Chapter 43.21B310 RCW. We will then close the file and remove it from the waiting list.

If you have any questions or need additional assistance, please contact me or Kevin Brown in our Spokane office. We can be reached at the following:

Jeffrey.MacLennan@ecy.wa.gov; 509-329-3480  
Kevin.Brown@ecy.wa.gov; 509-329-3422

Sincerely,



Jeff MacLennan  
Water Resources Program  
Eastern Region Office

JM:md  
Enclosure: *Statement of Intent form*

**By CERTIFIED MAIL:** 7012 3050 0000 1094 5827

cc: U.S. Bureau of Reclamation, P.O. Box 815, Ephrata, Washington 98823-0815



7012 3050 0000 1094 6350

U.S. Postal Service<sup>TM</sup>  
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**OFFICIAL USE**

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Certified Fee	
Return Receipt Fee (Endorsement Required)	

Postmark  
Here

Restrict  
(Endorse)

Total  
Mr. Gerald Brown  
6987 Highway 26 West  
Royal City, Washington 99357

Sent To

Street,  
or PO

City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Gerald Brown  
6987 Highway 26 West  
Royal City, Washington 99357

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☒ Addressee

B. Received by (Printed name)

Gerald A Brown

C. Date of Delivery

12-10-13

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☒ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7012 3050 0000 1094 6350

Domestic Return Receipt

102595-02-M-1540

7012 3050 0000 1094 5827

**U.S. Postal Service™**  
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**OFFICIAL USE**

Postage	\$
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Return Receipt Fee (Endorsement Required)	
Registered Delivery Fee (Enc)	

Postmark  
Here

TO  
 MR GERALD BROWN  
 6987 HIGHWAY 26 WEST  
 ROYAL CITY WA 99357

Seal  
or  
Clasp

PS Form 3800, August 2006

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR GERALD BROWN  
 6987 HIGHWAY 26 WEST  
 ROYAL CITY WA 99357

2. Article Number  
 (Transfer from service label)

7012 3050 0000 1094 5827

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Gerald Brown*

- ☐ Agent  
☐ Addressee

B. Received by (Printed Name)

Gerald L. Brown

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

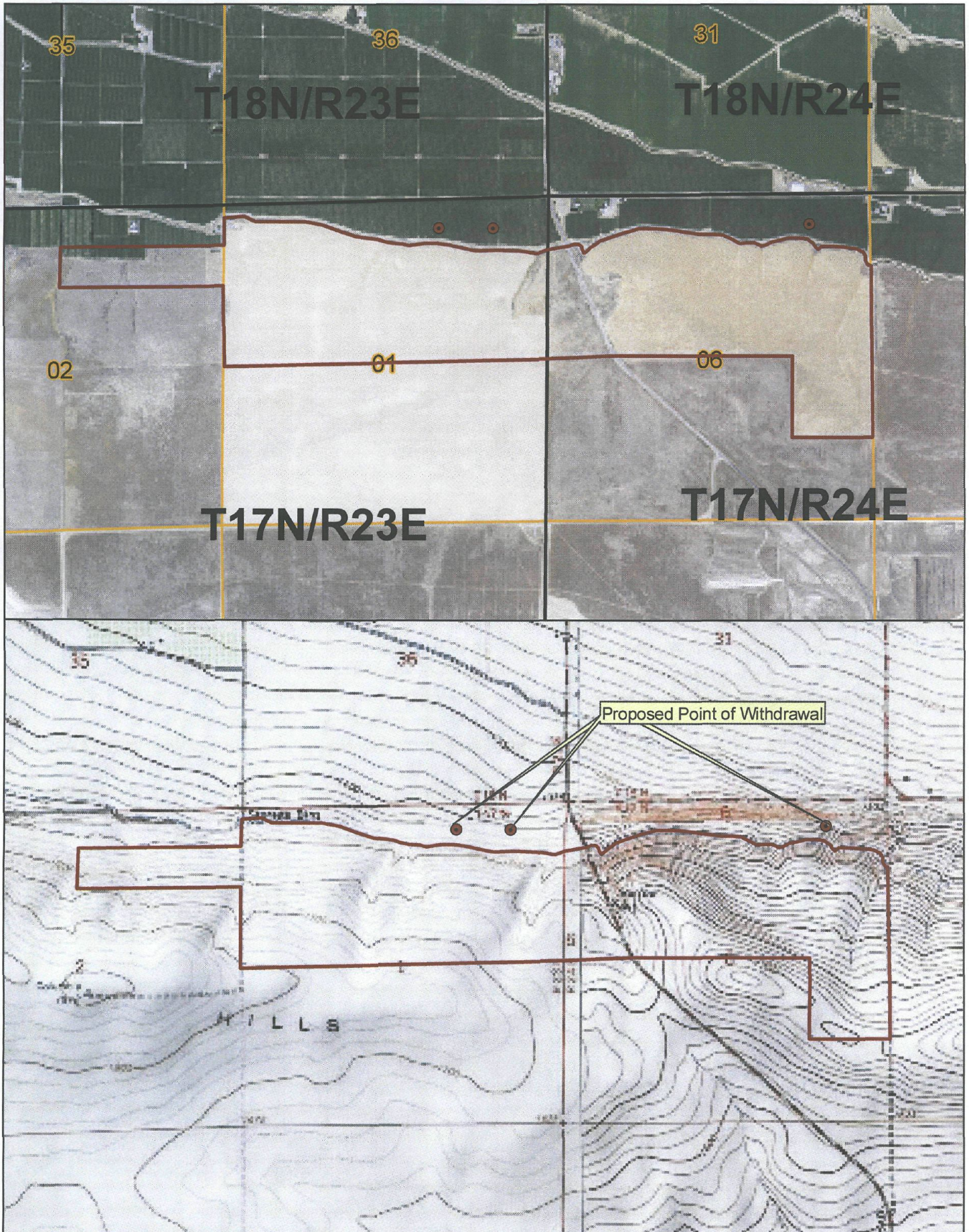
4. Restricted Delivery? (Extra Fee) ☐ Yes



Gerald A. Brown  
WRTS No. G3-30636  
Cert No.  
Sec. 01, T 17 N., R. 23 E.W.M., Sec. 06, T 17 N., R. 24 E.W.M.  
WRIA 42 / Grant County



Map based on Application for a Water Right Permit received 2/17/2011



- |                  |                              |
|------------------|------------------------------|
| County           | Existing Point of Withdrawal |
| WRIA             | Proposed Point of Withdrawal |
| Township / Range | Existing Place of Use        |
| Section          | Proposed Place of Use        |
| qtrqtr lines     |                              |
| Major Roads      |                              |
| Roads            |                              |

0 1,320 2,640 5,280 Feet

Comments:

2009 Aerial Photo Mapped 4/1/2010





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

March 22, 2011

Mr. Gerald A. Brown  
6987 Hwy 26 West  
Royal City, WA 99357

COPY

Re: Water Right Application No. G3-30636

Dear Mr. Brown:

The Department of Ecology has received your water right application. We have assigned it the number shown above. Please include this number if you contact us regarding your application.

Your application is in what's considered the "Grey Area" of the Quincy Basin. We can accept an application for state water rights within this area, however, it will be several years before we can act on it, and we cannot guarantee a positive outcome.

When we start actively evaluating applications in your watershed, we will prepare a public notice and send it to you with publication instructions. The filing of your application does not authorize you to start your project.

The availability of water in Washington is a serious problem. Much of the water in our state has already been appropriated. With the many demands on the state's water resources, a favorable permit decision is not always possible. You may want to consider purchasing all or part of an existing water right or other options discussed in the enclosed focus sheet.

You must notify Ecology of changes such as address, property ownership, or variations in your proposed water use plans. If you have any questions, please contact me at 509-329-3585.

Sincerely,

Karen Tusa  
Water Resources Program

KT:md



**RECEIPT**

**Department of Ecology (4610)**  
**PO Box 47611**  
**Olympia, WA 98504-7611**  
**(360) 407-7095**

Receipt Number  
 Manual Receipt

**11CJ014112**

Document Number **461J2675 CJ** Date **02/24/2011** FM 20

Remitter Name **GOLDEN WEST FARMS INC** Receipt Name

Check/Draw Number **22130**

Document Amount **1,333.00**

Method of Payment **Check**

Comment Description **WATER RIGHT - ERO** *New App*

REF DOC NR	REF DOC SFX	INV NR	ID NR	SUB ID NR	T C R FUND	MAJ MAG SUB SRC GRP SRC	CNTY WORK CLS	PIC	AI	ORG PRJ	SUB PRJ	PRJ PHS	SUB OBJ	SUB SUB OBJ	VAR GL	SUB SID DR	SUB SID CR	ALLOC AMT
					001 001 02 85 000011													1,333.00

**RECEIVED**

**FEB 28 2011**

DEPARTMENT OF ECOLOGY  
 EASTERN REGIONAL OFFICE